Application Number	Application No.	Applicant(s)
	10/686,411	LOVATT, CAROL J.
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DEPARTMENT

TER	MINAL DIS	JECTION OVER A "PRIOR" PATENT	06181	8-5008-0303
	RE	JECTION OVER A PRIOR TATELL		
In re Application	on of Carol J.	Lovatt		
Application No				
Filed: Oct	ober 14,	2003		
NOVEL	FORMULATIO	N OF PHOSPHORUS FERTILIZER FOR PLANTS		
For:				t t. disalaima
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2. V Th	e undersigned	is an attorney or agent of record. Reg. No. 46,890		
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		Todd Esker		
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				(415) 442-1000
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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	061818-5006-US05
In re Application of: Carol J. Lovatt	
Application No.: 10/686,411	
Filed: October 14, 2003	
For: NOVEL FORMULATION OF PHOSPHORUS FERTILIZER FOR PLANTS	
The owner*. Regents of the University of California , of 100 percent interest in except as provided below, the terminal part of the statutory term of any patent granted on the instant the expiration date of the full statutory term prior patent No. 5.514,200 as the term of sail and 173, and as the term of sail prior patent is presently shortened by any terminal disclaimer. The granted on the instant application shall be enforceable only for and during such period that it and the agreement runs with any patent granted on the instant application and is binding upon the grantee, its	owner nereby agrees that any passing parent are commonly owned. This
In making the above disclaimer, the owner does not disclaim the terminal part of the term of any pater would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: avoires for failure to pay a maintenance fee;	
is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate;	
is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened is in any manner terminated prior to the expiration of its full statutory term as presently shortened is	I by any terminal disclaimer.
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I hereby declare that all statements made herein of my own knowledge are true and that belief are believed to be true; and further that these statements were made with the knowledge the made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the Unite statements may jeopardize the validity of the application or any patent issued thereon.	all statements made on information and at willful false statements and the like so and States Code and that such willful false
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/ Signature	Date
Todd Esker	
Typed or printed name	
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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE FATTER	061818-5006-US05
REJECTION OVER A "PRIOR" PATENT	
In re Application of: Carol J. Lovatt	
Application No.: 10/686,411	
October 14, 2003	1
For: NOVEL FORMULATION OF PHOSPHORUS FERTILIZER FOR PLANTS	
The owner. Recents of the University of Cautomus except as provided below, the terminal part of the statutory term of any patent granted on the instant except as provided below, the terminal part of the statutory term prior patent No. 6.645.268 as the term of saithe expiration date of the full statutory term prior patent No. 6.645.268 as the term of said prior patent is presently shortened by any terminal disclaimer. The granted on the instant application shall be enforceable only for and during such period that it and the granted on the instant application and is binding upon the grantee, its	prior patent are commonly owned. This successors or assigns.
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I hereby declare that all statements made herein of my own knowledge are true and that belief are believed to be true; and further that these statements were made with the knowledge the made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the Unit statements may jeopardize the validity of the application or any patent issued thereon.	at all statements made on information and that willful false statements and the like so and states Code and that such willful false
2. The undersigned is an attorney or agent of record. Reg. No. 46,690	
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Todd Esker	
Typed or printed name	
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061818-5008-US05

REJECTION OVER A PENDING REFERENCE	
In re Application of: Carol J. Lovatt	
Application No.: 10/686,411	
Filed: October 14, 2003	
TO THE PROPERTY OF THE PROPERT	
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	10.28.04
4	Date
Signature	54.5
Todd Esker	
Typed or printed name	415-442-1000
	Telephone Number
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U.S. Patent and U.S. DEPARTMENT OF U TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT In re Application of: Carol J. Lovatt Application No.: 10/686,411 Filed: October 14, 2003 FOI: NOVEL FORMULATION OF PHOSPHORUS FERTILIZER FOR PLANTS The owner', Regents of the University of California of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the graingtion date of the full statutory term prior patent No. 5 830 255 the expiration date of the full statutory term **prior** patent No. <u>5.830,255</u> as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. Check either box 1 or 2 below, if appropriate. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. 2. The undersigned is an attorney or agent of record. Reg. No. 48,690 Todd Esker Typed or printed name (415) 442-1000 Telephone Number Terminal disclaimer fee under 37 CFR 1.20(d) included.

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